

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

Clifford L. Young,

Movant,

v.

Case No. 2:18-cv-1252

Judge Michael H. Watson

Magistrate Judge Chelsey M. Vascura

Warden, Madison Correctional  
Institution,

Respondent.

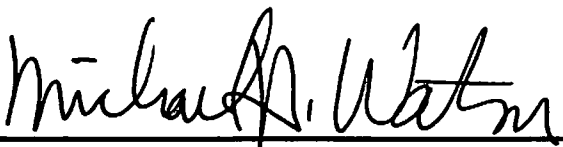
**ORDER**

Petitioner seeks a writ of habeas corpus under 28 U.S.C. § 2254. ECF No. 1. On April 25, 2019, the Magistrate Judge issued an *Order and Report and Recommendation* (“R&R”) recommending that one of Petitioner’s claims— that he received ineffective assistance of counsel when his attorney failed to subpoena certain witnesses— be dismissed as procedurally barred. ECF No. 4. Although the parties were advised of the right to file objections to the R&R, and of the consequences for failing to do so, no objections have been filed. Therefore, the R&R is **ADOPTED** and **AFFIRMED**. The Court further finds that there is no just reason for delay, and that this Order therefore constitutes a final judgement as to the ineffective assistance claim described above. See Fed.R.Civ.Proc. 54(b).

Pursuant to 28 U.S.C. § 2253(c)(1)(A) and Rule 11 of the Rules Governing Section 2254 Proceedings in the United States District Courts, the

Court must determine whether to issue a certificate of appealability when it enters a final order adverse to a habeas petitioner. Because Petitioner has waived the right to file an appeal by failing to file objections to the R&R, see *Thomas v. Arn*, 474 U.S. 140, 147 (1985); *United States v. Walters*, 638 F. 2d 947, 950 (6th Cir. 1981), the Court **DECLINES** to issue a certificate of appealability

**IT IS SO ORDERED.**

  
**MICHAEL H. WATSON, JUDGE**  
**UNITED STATES DISTRICT COURT**